

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KENNETH DONALD MCCURDY,
Plaintiff,
v.
BEN CURRY Warden, et al.,
Defendants.

No. C 07-05084 CW
ORDER TO SHOW CAUSE

Petitioner, a state prisoner currently incarcerated at California Correctional Facility in Soledad, California, has filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Good cause appearing, the Court hereby issues the following orders:

The Clerk of the Court shall serve a copy of this Order and the petition and all attachments thereto upon Respondent and Respondent's attorney, the Attorney General of the State of California.

Respondent shall file with this Court and serve upon Petitioner, within sixty (60) days of the issuance of this Order, an answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, 28 U.S.C. foll. § 2254, showing cause why a writ of habeas corpus should not be issued. Respondent shall

1 file with the answer a copy of all portions of the state record
2 that have been previously transcribed and that are relevant to a
3 determination of the issues presented by the petition.

4 If Petitioner wishes to respond to the answer, he shall do so
5 by filing a traverse with the Court and serving it upon Respondent
6 within thirty (30) days of his receipt of the answer.

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9 IT IS SO ORDERED.

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11 Dated: 2/8/08



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CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

KENNETH DONALD MCCURDY,

Case Number: CV07-05084 CW

Plaintiff,

CERTIFICATE OF SERVICE

v.

BEN CURRY et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 8, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kenneth Donald McCurdy C-76230
California Training Facility
P.O. Box 689
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Attorney General
State of California
455 Golden Gate Avenue, #11000
San Francisco, CA 94102

Ben Curry, Warden
California Training Facility
P.O. Box 686
Soledad, CA 93960-0686

Dated: February 8, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk